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HOUSE BILL 1855

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State of Washington

60th Legislature

2007 Regular Session

By Representatives Schual-Berke, Kessler, Walsh, Appleton, Linville, Darneille, Hankins, Kenney, Lantz, Green, McCoy, Quall, Morrell, Haigh, Fromhold, Hunt, Dunshee, P. Sullivan, McDermott, McIntire, Wood, Dickerson, Ericks, Moeller, Pedersen, Conway, Hasegawa, Roberts, Seaquist, Kagi, Sells, Upthegrove, Williams, Goodman, Simpson and Springer

Read first time 01/30/2007. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to providing sexual health education in schools  
2 that is consistent with the 2005 guidelines for sexual health  
3 information and disease prevention; adding a new section to chapter  
4 28A.300 RCW; and creating new sections.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that young people  
7 should have the knowledge and skills necessary to build healthy  
8 relationships, and to protect themselves from unintended pregnancy and  
9 sexually transmitted diseases, including HIV infection. The primary  
10 responsibility for sexual health education is with parents and  
11 guardians. However, this responsibility also extends to schools,  
12 religious organizations, and other community groups. It is in the  
13 public's best interest to ensure that young people are equipped with  
14 medically and scientifically accurate, age-appropriate information that  
15 will help them avoid unintended pregnancies, remain free of sexually  
16 transmitted diseases, and make informed, responsible decisions  
17 throughout their lives.

18 (2) The legislature intends to support and advance the standards  
19 established in the January 2005 guidelines for sexual health

1 information and disease prevention developed by the office of the  
2 superintendent of public instruction and the department of health.  
3 These guidelines are a fundamental tool to help school districts,  
4 teachers, guest speakers, health and counseling providers, community  
5 groups, parents, and guardians choose, develop, and evaluate sexual  
6 health curricula to better meet the health and safety needs of  
7 adolescents and young adults in their communities.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300  
9 RCW to read as follows:

10 (1) By September 1, 2008, every school that offers sexual health  
11 education must assure that sexual health education is medically and  
12 scientifically accurate, age-appropriate, appropriate for students  
13 regardless of gender, race, disability status, or sexual orientation,  
14 and includes information about abstinence and other methods of  
15 preventing unintended pregnancy and sexually transmitted diseases. All  
16 sexual health information, instruction, and materials must be medically  
17 and scientifically accurate. Abstinence may not be taught to the  
18 exclusion of other materials and instruction on contraceptives and  
19 disease prevention. Sexual health education must be consistent with  
20 the January 2005 guidelines for sexual health information and disease  
21 prevention developed by the department of health and the office of the  
22 superintendent of public instruction.

23 (2) As used in this act, "medically and scientifically accurate"  
24 means information that is verified or supported by research in  
25 compliance with scientific methods, is published in peer-review  
26 journals, where appropriate, and is recognized as accurate and  
27 objective by professional organizations and agencies with expertise in  
28 the field of sexual health including but not limited to the American  
29 college of obstetricians and gynecologists, the Washington state  
30 department of health, and the federal centers for disease control and  
31 prevention.

32 (3) The superintendent of public instruction and the department of  
33 health shall make the January 2005 guidelines for sexual health  
34 information and disease prevention available to school districts,  
35 teachers, and guest speakers on their web sites. Within available  
36 resources, the superintendent of public instruction and the department

1 of health shall make any related information, model policies,  
2 curricula, or other resources available as well.

3 (4)(a) The superintendent of public instruction, in consultation  
4 with the department of health, shall develop a list of sexual health  
5 education curricula that are consistent with the 2005 guidelines for  
6 sexual health information and disease prevention. This list shall be  
7 intended to serve as a resource for schools, teachers, or any other  
8 organization or community group, and shall be updated no less  
9 frequently than annually and made available on the web sites of the  
10 office of the superintendent of public instruction and the department  
11 of health.

12 (b) The department of health may adopt such rules as are necessary  
13 to determine whether a curriculum constitutes a sexual health education  
14 curriculum that is consistent with the 2005 guidelines for sexual  
15 health information and disease prevention.

16 (5) Schools that offer sexual health education are encouraged to  
17 review their sexual health curricula and choose a curriculum from the  
18 list developed under subsection (4) of this section. Any school that  
19 offers sexual health education may identify, choose, or develop any  
20 other curriculum, if the curriculum chosen or developed complies with  
21 the requirements of this section.

22 (6) Consistent with WAC 392-410-140, any parent or legal guardian  
23 who wishes to have his or her child excused from any planned  
24 instruction in sexual health education may do so upon filing a written  
25 request with the school district board of directors or its designee.  
26 In addition, any parent or legal guardian may review the sexual health  
27 education curriculum offered in his or her child's school by filing a  
28 written request with the school district board of directors, the  
29 principal of the school his or her child attends, or the principal's  
30 designee.

31 (7) The office of the superintendent of public instruction shall,  
32 through its Washington state school health profiles survey or other  
33 existing reporting mechanism, ask schools to identify any curricula  
34 used to provide sexual health education, and shall report the results  
35 of this inquiry to the legislature on an annual basis, beginning with  
36 the 2008-09 school year.

1        NEW SECTION.   **Sec. 3.**   This act may be known and cited as the  
2   healthy youth act.

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